

frequencies to Northwest so that Northwest may operate the third-country code-share services proposed herein. Northwest requests that the certificate be made effective for a period of five years.

Docket Number: 50164

Date filed: February 27, 1995

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 6, 1995

Description: Application of Delta Air Lines, Inc., pursuant to 49 U.S.C. Section 41102 and subpart Q of the Regulations, applies for (1) a new or amended certificate of public convenience and necessity to provide scheduled foreign air transportation between a point or points in the United States, on the one hand, and Kiev and Odessa, Ukraine, on the other hand, via an intermediate point in Europe, and (2) an allocation of seven (7) weekly round-trip frequencies.

Docket Number: 50165

Date filed: February 27, 1995

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 27, 1995

Description: Application of Air Caraibes Exploitation, pursuant to 49 U.S.C. Section 41301 of the Act and subpart Q of the Regulations, applies for a foreign air carrier permit to engage in the foreign air transportation of persons, property and mail to conduct foreign charter air transportation of persons, property and mail with small aircraft between points in the French West Indies (Guadeloupe, Martinique, St. Barthelemy and St. Martin) and Puerto Rico, the U.S. Virgin Islands and Miami, Florida.

Docket Number: 50170

Date filed: February 28, 1995

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 28, 1995

Description: Application of Phoenix Leasing Corporation, pursuant to 49 U.S.C. 41102 and Subpart Q of the Regulations, applies for a certificate of public convenience and necessity authorizing it to provide scheduled foreign air transportation of persons, property and mail between points in the United States and Loretto, Cabo San Lucas and Huatulco, Mexico.

Docket Number: 50173

Date filed: March 1, 1995

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 29, 1995

Description: Joint Application of Federal Express Corporation and Evergreen International Airlines, Inc., pursuant to 49 U.S.C. Section 41105 of the Act

and Subpart Q of the Regulations, respectfully request approval of the transfer to FedEx of the authority held by Evergreen to transport property and mail between points in the U.S. and points in the People's Republic of China, pursuant to Evergreen's Experimental Certificate of Public Convenience and Necessity for Route 638 and related exemptions and frequency allocations. The Joint Applicants request that the Department act expeditiously under non-oral show cause procedures. FedEx and Evergreen have entered into a Route Purchase and Transfer Agreement for the purchase and transfer of Evergreen's U.S.-China authority.

Docket Number: 50179

Date filed: March 3, 1995

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 31, 1995

Description: Application of Air Espana, S.A. trading as Air Europa, pursuant to 49 U.S.C. Section 41302 and Subpart Q of the Regulations, applies for renewal of the Foreign Air Carrier Permit it was issued in 1990. Air Europa seeks Third and Fourth Freedom authority to continue to engage in charter foreign air transportation of persons and property between any point or points in Spain and any point or points in the United States. Air Europa also seeks Fifth Freedom charter authority to the maximum extent permitted by the Department, and subject to the Department's prior authorization requirements.

Paulette V. Twine,

Chief, Documentary Services Division.

[FR Doc. 95-5962 Filed 3-9-95; 8:45 am]

BILLING CODE 4910-62-P

Maritime Administration

Notice of Approval of Applicant as Trustee

Notice is hereby given that LaSalle National Bank, National Association, with offices at 120 South LaSalle, Street, Chicago, Illinois 60603, has been approved as Trustee pursuant to Public Law 100-710 and 46 CFR Part 221.

Dated: March 6, 1995.

By Order of the Maritime Administrator

Joel C. Richard,

Acting Secretary.

[FR Doc. 95-5827 Filed 3-9-95; 8:45 am]

BILLING CODE 4910-81-P

National Highway Traffic Safety Administration

[Docket No. 94-105; Notice 2]

Decision That Nonconforming 1973 Triumph Spitfire MkIV Passenger Cars Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of decision by NHTSA that nonconforming 1973 Triumph Spitfire MkIV passenger cars are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that 1973 Triumph Spitfire MkIV passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the U.S.-certified version of the 1973 Triumph Spitfire MkIV), and they are capable of being readily altered to conform to the standards.

DATES: This decision is effective as of the date of its publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Ted Bayler, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115 (formerly section 114 of the Act), and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an

opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Wallace Environmental Testing Laboratories, Inc. of Houston, Texas (Registered Importer R-90-005) petitioned NHTSA to decide whether 1973 Triumph Spitfire MkIV passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on January 4, 1995 (60 FR 525) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition. No comments were received in response to the notice. Based on its review of the information submitted by the petitioner, NHTSA has decided to grant the petition.

Vehicle Eligibility Number for Subject Vehicles

The importer of the vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP 108 is the vehicle eligibility number assigned to vehicles admissible under this decision.

Final Determination

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1973 Triumph Spitfire MkIV not originally manufactured to comply with all applicable Federal motor vehicle safety standards is substantially similar to a 1973 Triumph Spitfire MkIV originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. 30115, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Authority: 49 U.S.C. 30141 (a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: March 6, 1995.

Harry Thompson,

Acting Director, Office of Vehicle Safety Compliance.

[FR Doc. 95-5963 Filed 3-9-95; 8:45 am]

BILLING CODE 4910-59-M

[Docket No. 95-11; Notice 1]

Ford Motor Co.; Receipt of Application for Decision of Inconsequential Noncompliance

Ford Motor Company (Ford) of Dearborn, Michigan has determined that

some of its windows fail to comply with the light transmittance requirements of 49 CFR 571.205, Federal Motor Vehicle Safety Standard (FMVSS) No. 205, "Glazing Materials," and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Ford has also applied to be exempt from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the application.

Standard No. 205, which incorporates by reference, the American National Standards Institute (ANSI) "Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways" Z-26.1-1977, January 26, 1977, as supplemented by Z26.1a, July 3, 1980 (ANSI Z26.1), specifies that automotive glazing materials used in front, side and rear windows of passenger cars shall have a regular luminous transmittance of not less than 70 percent of the light, at normal incidence, when measured in accordance with "Light Transmittance, Test 2" of ANSI Z-26.1-1980.

During the period of October 1994 through January 21, 1995, Ford manufactured approximately 8,250 1995 Continental vehicles on which the front door windows had a luminous transmittance of approximately 68 percent. According to Ford, miscommunication between Ford Glass production and fabrication plants concerning the properties and intended use of the glass resulted in its being used in the fabrication of windows for use in Continental production. Beginning with vehicle production on January 23, 1995, front door windows with a luminous transmittance of greater than 70 percent have been installed.

Ford supports its application for inconsequential noncompliance with the following:

In Ford's judgment, the condition is inconsequential as it relates to motor vehicle safety. Computer modeling studies and in-car evaluations previously conducted by Ford to assess the effect of reduced light transmittance windshields showed that even a 5 point reduction in the percentage of light transmittance, from 65 to 60 percent, resulted in a reduction in seeing distance of only 1 to 2 percent during night time driving, and little or no reduction in seeing distance during dusk and daytime driving. Based on these studies, the subject Continental front door windows with 68 percent light transmittance (67.5 percent at the door

window installed angle) would be expected to result in no significant reduction (less than 1 percent) in seeing distance during night time driving, and virtually no reduction during dusk and daytime driving, compared to glass with a 70 percent transmittance. Reductions in seeing distances 2 percent or less have no practical or perceivable effect on driver visibility based on observers' reports in vehicle evaluations by Ford of windshields with line-of-sight transmittance in the 60 to 65 percent range.

The stated purpose of FMVSS No. 205 to which the light transmittance requirements are directed is "to ensure a necessary degree of transparency in motor vehicle windows for driver visibility." NHTSA, in its March, 1991 "Report to Congress on Tinting of Motor Vehicle Windows," concluded that the light transmittance of windows of the then new passenger cars that complied with Standard No. 205 did not present an unreasonable risk of accident occurrence. The "new passenger cars" that were considered to not present an unreasonable risk had effective line-of-sight light transmittance through the windshields as low as approximately 63 percent (determined by a 1990 agency survey, the results of which were included in the report). While light transmittance and driver visibility through front door windows is important to safe operation of motor vehicles, it is not as important as driver visibility through vehicle windshields. It follows that if light transmittance levels as low as 63 percent through windshields do not present an unreasonable risk to safety, then the side window glass in the subject Continentals also present no unreasonable risk to safety.

Therefore, while the use of front window glazing with luminous transmittance less than 70 percent is technically a noncompliance, we believe the condition presents no risk to motor vehicle safety.

Interested persons are invited to submit written data, views, and arguments on the application of Ford, described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street NW, Washington, DC 20590. It is requested but not required that six copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: April 10, 1995.